

PRODUCT: Peanut butter: 135 cases, each containing 12 1-pound, 8-ounce jars, at Baton Rouge, La.; 22 cases, each containing 12 2-pound jars, at Salt Lake City, Utah; and 32 cases, each containing 24 1-pound jars at Idaho Falls Idaho.

The average net weight of the jars of peanut butter at Idaho Falls was 15.66 ounces.

LABEL, IN PART: (Jars) "Goldcraft Peanut Butter."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), (Baton Rouge and Salt Lake City lots) the product consisted in whole or in part of a filthy substance by reason of the presence of dirt.

Misbranding (Idaho Falls lot), Section 403 (a), the statement which appeared on the labeling of the jars, "Net Wt. 1 Lb.," was false and misleading as applied to the article, which was short weight; and, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: Between April 15 and June 24, 1944, no claimant having appeared, judgments of condemnation were entered and the Salt Lake City lot was ordered used for hog feed, and the remaining lots were ordered destroyed.

6765. Misbranding of peanut butter. U. S. v. 36 Cases of Peanut Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12077. Sample No. 48195-F.)

LIBEL FILED: March 24, 1944, Western District of Kentucky.

ALLEGED SHIPMENT: Between the approximate dates of November 20, 1943, and February 14, 1944, by the Fletcher-Wilson Coffee Co., from Nashville, Tenn.

PRODUCT: Peanut butter: 36 cases, each containing 24 jars, at Campbellsville, Ky.

LABEL, IN PART: (Jars) "Luxury * * * Peanut Butter."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "1 lb." was false and misleading since the product was short weight; and, Section 403 (e) (2), it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 15, 1944. The Fletcher-Wilson Coffee Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be refilled or relabeled in conformance with the law, under the supervision of the Food and Drug Administration.

6766. Misbranding of peanut butter. U. S. v. 20 Cases of Peanut Butter. Default decree of condemnation. Product ordered delivered to a public institution. (F. D. C. No. 12050. Sample No. 52043-F.)

LIBEL FILED: March 20, 1944, District of New Hampshire.

ALLEGED SHIPMENT: On or about January 18, 1944, by the John W. Leavitt Co., from Boston, Mass.

PRODUCT: 20 cases, each containing 12 jars, of peanut butter at Manchester, N. H.

LABEL, IN PART: (Jar) "Teddle Brand Delicious Peanut Butter * * * 1 Lb. Net Wt."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "1 Lb. Net Wt." was false and misleading as applied to the article, which was short weight; and, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 16, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

6767. Adulteration of peanuts. U. S. v. 76 Bags of Peanuts (and 4 other seizure actions against peanuts.) Decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 10991, 10992, 11047, 12205, 12823. Sample Nos. 48848-F, 48912-F, 48992-F, 53678-F, 76914-F.)

LIBELS FILED: Between October 25, 1943, and June 29, 1944, Northern and Southern Districts of Ohio, Eastern District of New York, and Southern District of California.

ALLEGED SHIPMENT: From on or about February 27, 1943, to March 18, 1944, by the Southern Cotton Oil Co., from Cordele, Tipton, and Dawson, Ga., and Andalusia, Ala.

PRODUCT: Peanuts: 76 bags at Kenton, Ohio, 20 bags at Columbus, Ohio, and 257 bags at Dayton, Ohio, each bag containing 125 pounds; 419 bags at Los

Angeles, Calif., each bag containing about 120 pounds; and 100 50-pound bags at Brooklyn, N. Y.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed substance by reason of the presence of insect-gnawed, decomposed, rancid, or dirty peanuts, insect excreta, webbing, worm-cut peanuts, and live and dead insects.

DISPOSITION: On January 7, 1944, E. J. Griffiths & Son, Columbus, Ohio, having appeared as claimant for the Columbus lot, judgment was entered ordering the release of the product under bond for use as hog feed. Between January 25 and August 24, 1944, E. J. Griffiths & Son, the William S. Scull Co., Dayton, Ohio, Chas. T. Taylor, trading as the Chas. T. Taylor Co., Los Angeles, Calif., and the National Almond Products Co., Inc., Brooklyn, N. Y., having appeared as claimants, respectively, for the lots at Kenton, Dayton, Los Angeles, and Brooklyn, judgments of condemnation were entered and the product was ordered released under bond for disposition as animal feed, conversion into peanut oil, or other lawful disposition.

6768. Adulteration of shelled peanuts. U. S. v. 32 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12151. Sample No. 64863-F.)

LIBEL FILED: April 6, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about December 1, 1943, from Franklin, Va.

PRODUCT: 32 bags of shelled peanuts at Tacoma, Wash., in possession of Rex F. Adams & Co.

The peanuts had been stored under insanitary conditions after shipment. The bags were rodent-torn, and contained rodent urine stains and rodent excreta. Examination of samples showed that the product contained rodent excreta and rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402(a)(3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 26, 1944. Rex F. Adams & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

6769. Adulteration of shelled peanuts. U. S. v. 109 Bags and 352 Bags of Shelled Peanuts. Decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 11999, 12972. Sample Nos. 53645-F, 53692-F.)

LIBELS FILED: March 11 and July 17, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about May 20 and 27, 1944, by the Gorman Peanut Co., Inc., from Gorman, Tex.

PRODUCT: Shelled Peanuts: 352 bags, each containing approximately 115 pounds, and 109 bags, at Los Angeles, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of dirty peanuts in one portion, and of insect excreta in the remainder.

DISPOSITION: March 24 and August 30, 1944. Morris Rosenberg and the Rawak Candy Co., Los Angeles, Calif., claimants for respective portions of the article, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

6770. Adulteration of peanuts. U. S. v. 248 Bags of Peanuts (and 1 other seizure action against peanuts). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 10841, 11626. Sample Nos. 30034-F, 55723-F.)

LIBELS FILED: October 7 and January 13, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about April 28 and July 6, 1943, by the Consumers Peanut Co., from Stephenville, and Carbon, Tex.

PRODUCT: Peanuts: 322 100-pound bags at Seattle, Wash., and 248 100-pound bags at Tacoma, Wash.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, pupae, insect excreta, webbing, and worm-cut peanuts.